IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

AFA.No. 45 of 1994()

AGAINST THE JUDGEMENT IN AS.58/1987 Dated 19/11/1993 OF THIS COURT.
OS.334/1982 of ADDL.SUB COURT, ALAPPUZHA
.....

APPELLANT/APPELLANT/IST DEFENDANT.

P. ABDU, OWNER OF THE NAZAR CHITTY FUND,
MUNICIPAL WARD, ALLEPPEY MURI, -DO- VILLAGE.

BY ADV. SRI.C.A.RAJEEV

RESPONDENTS/RESPONDENTS/PLAINTIFFS & DEFENDANTS 2 AND 3 & 5 TO 11:

1. MUHAMMD KUNJU KOYA, RESIDING AT SARPATHIL PARAMBIL, ZILLA COURT WARD, THEKKEN ARIYAD MURI, ARIYAD THEKKU VILLAGE.

2. MUHAMMED KUNJU HAMEED, RESIDING AT -DO- -DO-

3. P.K.MUHAMMED RASHEED, RESIDING AT MARAKARUKUTTY VALAPPIL HOUSE, BEACH WARD, FROM THYPARAMBU VEEDU, ALISSERI WARD, ALLEPPEY MURI, ALLEPPEY VILLAGE.

4. KADEEJA BEEVI, W/O.P.K.MUHAMMED RASHEED, RESIDING AT -DO- -DO-

5. ALIAMMA UMMA, AGED, 50-, W/O.LATE MUHAMMED KUNJU HAMEED, SARPATHIPARAMBIL, ZILLA COURT WARD, ALAPPUZHA.

6. HAMEED YOUSEPH, AGED 35, S/O.LATE MUHAMMED KUNJU HAMEED, SARPPATHIL PARAMBIL, -DO- -DO-

7. HAMEED SHERIF, AGED 30, -DO -DO-

8. HAMEED ABDUL SALAM, AGED 2, -DO- ,-DO-

9. HAMEED ABDUL MAJEED AGED 25, -DO-,-DO-

10. HAMEED NOUSHED, AGED 22, OF -DO- -D0-

11. BHIMA BASHEER AGED 30, -DO- -DO-

THIS APPEAL FROM FIRST APPEAL HAVING BEEN FINALLY HEARD ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & V.K.MOHANAN, JJ.

A.F.A.NO.45 OF 1994

Dated this the 5th day of September, 2007

JUDGMENT

Raman, J.

In spite of repeated opportunities given to the appellant to cure the defect and in spite of the order passed by this Court on 29/5/2007 to the effect that in case no steps are taken to cure the defects within one week, the appeal will stand dismissed, it is seen that no steps are taken to cure defects.

In such circumstances, the appeal is dismissed for non-prosecution.

P.R.RAMAN,
Judge.

V.K.MOHANAN,
Judge.

kcv.